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6 **UNITED STATES DISTRICT COURT**  
 7 **DISTRICT OF NEVADA**

8 \* \* \*

9 UNITED STATES OF AMERICA

3:21-cr-00012-LRH-WGC

10 Plaintiff,

11 vs.

**STIPULATION TO CONTINUE  
 SENTENCING**

12 FRANCISCO NAVARRO-DELGADO,

13 Defendants.

14  
 15 IT IS HEREBY STIPULATED AND AGREED by and through THOMAS E. VILORIA,  
 16 counsel for FRANCISCO NAVARRO-DELGADO, CHRISTOPHER CHIOU, Acting United  
 17 States Attorney, and ANDOLYN JOHNSON, Assistant United States Attorney, counsel for  
 18 UNITED STATES OF AMERICA; that the sentencing set for January 13, 2022, 11:00 a.m. be  
 19 continued to March 10, 2022, 11:00 a.m.

20 The continuance is necessary for the following reasons: Due to counsels' ongoing  
 21 investigation into mitigating factors, the likelihood of motions being filed before sentencing and  
 22 the need for additional time to effectively prepare for and present each party's sentencing  
 23 position.

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 COUNSELORS AT LAW  
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1 The defendant, who is out of custody, is in agreement that his counsel needs the  
2 additional time and consents to continuance of the sentencing

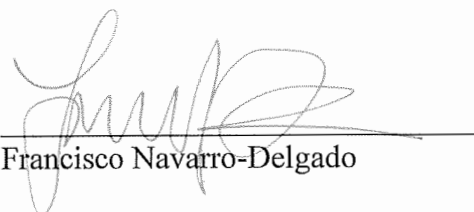
3 DATED this 3<sup>rd</sup> day of January, 2022.

4 /s/ Andolyn Johnson  
5 ANDOLYN JOHNSON  
6 Asst. United States Attorney  
7 Counsel for Government

  
8 THOMAS E. VILORIA  
9 VILORIA, OLIPHANT  
10 OSTER & AMAN, L.L.P.  
11 Counsel for FRANCISCO NAVARRO-DELGADO

12 I, FRANCISCO NAVARRO-DELGADO, hereby consent to the above and foregoing  
13 Stipulation to Continue Sentencing.

14 DATED this 3<sup>rd</sup> day of January, 2022.

  
15 Francisco Navarro-Delgado

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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

UNITED STATES OF AMERICA

3:21-cr-00012-LRH-WGC

Plaintiff,

vs.

**Findings of Fact, Conclusions of Law  
and Order**

FRANCISCO NAVARRO-DELGADO,

Defendant.

**FINDINGS OF FACT**

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. The continuance is necessary for the following reasons. First, the failure to grant this continuance would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. *See* 18 U.S.C. § 3161(h)(7)(B)(iv).

2. The defendant does not oppose the continuance.

3. The parties will need additional time to conduct investigation into mitigating factors and there is a likelihood of motions being filed before sentencing.

4. The additional time requested herein is not sought for purposes of delay, but merely to allow counsel for the defendant sufficient time to complete necessary research and prepare for sentencing

5. Denial of this request for continuance would deny counsel for the defendant sufficient time to effectively and thoroughly prepare, taking into account the exercise of due diligence.

This is the first stipulation to continue the sentencing filed herein.

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The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for sentencing, taking into account the exercise of due diligence.

IT IS THEREFORE ORDERED that the sentencing currently scheduled for January 13, 2022, at 11:00 a.m. be vacated and continued to March 10, 2022, at 11:00 a.m.

  
UNITED STATES DISTRICT JUDGE